

E-Filed 10/26/12

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ELTON WHITTNEY ERVIN,

No. C 12-3383 RS (PR)

Plaintiff,

ORDER OF TRANSFER

v.

MERCED POLICE DEPARTMENT, et al.,

Defendants.

Plaintiff alleges violations of his constitutional rights by officers of the Merced Police Department, which is in Merced County. A substantial part of the events or omissions giving rise to the claims occurred, and the defendants named reside, in Merced County, which lies within the venue of the Eastern District of California. *See* 28 U.S.C. § 84(b). Venue therefore properly lies in the Eastern District. *See id.* § 1391(b). Accordingly, in the interest of justice, and pursuant to 28 U.S.C. § 1406(a), this action is hereby TRANSFERRED to the United States District Court for the Eastern District of California. The Clerk shall transfer this action forthwith.

IT IS SO ORDERED.

DATED: October 26, 2012


RICHARD SEEBORG
United States District Judge

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